

Message Text

PAGE 01 STATE 147897
ORIGIN AF-10

INFO OCT-01 ISO-00 ONY-00 SSO-00 /011 R

DRAFTED BY AF/E:KWAUCHOPE:CJ
APPROVED BY AF/E:RSPOST
AF/I:LSHURTLEFF
DESIRED DISTRIBUTION
AF ONLY

-----080143 242122Z /70
O 242054Z JUN 77
FM SECSTATE WASHDC
TO AMEMBASSY KHARTOUM IMMEDIATE

C O N F I D E N T I A L STATE 147897

E.O. 11652: XGDS-3

TAGS: SHUM, SU, US

SUBJECT:COUNTRY ACTION PLAN FOR SUDAN
REF.: STATE 139160

THE FOLLOWING IS THE AF BUREAU'S HUMAN RIGHTS COUNTRY
ACTION PLAN FOR SUDAN. REQUEST EMBASSY COMMENTS,
CORRECTIONS AND ADDITIONS. SLUG REPLY FOR AF ONLY.
REQUEST RESPONSE BY JUNE 28.
A. CONDITION OF HUMAN RIGHTS IN SUDAN

1. RESPECT FOR THE INTEGRITY OF THE PERSON IS GUARAN-
TEED BY THE 1973 CONSTITUTION OF SUDAN. THE 1973
CONSTITUTION ACKNOWLEDGED THE RIGHTS OF LIFE, LIBERTY
AND SECURITY OF THE PERSON. IN SEPTEMBER, 1975, HOWEVER,
IN THE WAKE OF AN UNSUCCESSFUL COUP ATTEMPT, THE
PEOPLE'S ASSEMBLY AMENDED THE CONSTITUTION TO PERMIT
THE PRESIDENT TO TAKE ANY ACTION OR MAKE ANY DECISION
TO PROTECT THE CONSTITUTION, THE COUNTRY, AND THE "MAY
CONFIDENTIAL

PAGE 02 STATE 147897

REVOLUTION". THESE AMENDMENTS RESTRICTED, OR IN SOME
CASE ABROGATED, CONSTITUTIONAL GUARANTEES ON THE IN-
TEGRITY OF THE PERSON. WHILE TORTURE, CRUEL, INHUMAN
OR DEGRADING PUNISHMENT ARE NOT ROUTINELY PRACTICED,
FOLLOWING THE FIVE UNSUCCESSFUL COUP ATTEMPTS AGAINST
THE NIMEIRI GOVERNMENT, SUDANESE AUTHORITIES HAVE ACTED
SWIFTLY AND BRUTALLY IN EXACTING RETRIBUTION AGAINST

OPPONENTS. SUCH RETRIBUTION IS GENERALLY DIRECTED
AGAINST THE SELECT GROUP OF PLOTTERS AND DOES NOT TAKE

THE FORM OF SWEEPING PURGES.

FOLLOWING THE COUP ATTEMPT IN JULY, 1976, 457 PERSONS WERE TRIED, 428 WERE CONVICTED AND SOME 300 WERE SUBSEQUENTLY REPORTED TO HAVE BEEN EXECUTED. IN THIS INSTANCE, ALL THOSE ALLEGED TO HAVE BEEN INVOLVED IN THE PLOT WERE TRIED BY MILITARY TRIBUNAL. IN NORMAL CIRCUMSTANCES, HOWEVER, TRIALS BEFORE CIVIL COURTS WITH APPROPRIATE GUARANTEES HAVE BEEN THE NORM. THERE ARE CONSTITUTIONAL GUARANTEES AGAINST INVASION OF THE HOME AND THESE GUARANTEES ARE NORMALLY RESPECTED.

2. IN SEPTEMBER, 1976 THE GOVERNMENT OF SUDAN SUSPENDED ARTICLES OF THE CONSTITUTION CONCERNING FREEDOM OF OPINION AS WELL AS CERTAIN OTHER CIVIL AND CRIMINAL RIGHTS. WHILE POLITICAL FREEDOMS SUCH AS ASSEMBLY AND FREE SPEECH CAN BE EXERCISED WITHIN LIMITS, THE GOVERNMENT IS CAREFUL TO PROTECT RELIGIOUS FREEDOM AND THE "PRIVATE LIFE OF THE CITIZENRY".

CONSTITUTIONAL GUARANTEES ON FREEDOM OF MOVEMENT WITHIN THE COUNTRY WERE REPEALED BY THE 1975 AMENDMENTS, AND THE LEGISLATURE IS NOW PERMITTED TO PASS LAWS FOR PRE-CONFIDENTIAL

PAGE 03 STATE 147897

VENTIVE DETENTION, HOUSE ARREST, ETC. WITHOUT TIME LIMIT OR FORMAL CHARGE. THESE PROVISIONS ARE EXERCISED SPARINGLY AND DETAINEES ARE USUALLY RELEASED WITHIN SEVERAL MONTHS OF THEIR ARREST. POLITICAL OPPONENTS OF THE NIMEIRI GOVERNMENT ARE GENERALLY NOT MOLESTED IF THEY AVOID ILLEGAL POLITICAL ACTIVITY. THERE IS NO POLICY OF RESTRICTION ON FOREIGN TRAVEL OR EMIGRATION.

THE SUDANESE SOCIALIST UNION (SSU) IS THE ONLY LEGAL POLITICAL PARTY IN THE COUNTRY. INDEPENDENTS MAY CAMPAIGN FOR OFFICE UPON APPROVAL OF THE SSU. INDEPENDENT CANDIDATES HAVE BEEN ELECTED TO THE PEOPLES' ASSEMBLY. POLITICIANS ASSOCIATED WITH PARTIES OR MOVEMENTS PRE-DATING THE CURRENT GOVERNMENT REMAIN AT LIBERTY TO EXPRESS THEIR VIEWS IN PRIVATE, BUT RISK ARREST IF THEY ATTEMPT TO ORGANIZE IN OPPOSITION. IN RECENT WEEKS EFFORTS HAVE BEEN MADE TO PERSUADE LONGSTANDING OPPONENTS TO END THEIR ACTIVE OPPOSITION TO THE NIMEIRI GOVERNMENT. TO FURTHER THESE EFFORTS SEVERAL HUNDRED SUPPORTERS OF THE ANSAR OPPOSITION HAVE BEEN RELEASED BY SUDANESE AUTHORITIES.

3. THE SUDANESE GOVERNMENT IS UNDERTAKING AN EXTENSIVE DEVELOPMENT PROGRAM TO EXPLOIT ITS VAST AGRICULTURAL

POTENTIAL. FOREIGN INVESTORS ARE BEING INVITED TO SUDAN AND WESTERN AGRICULTURAL TECHNOLOGY IS TO BE EMPLOYED TO

DEVELOP THIS POTENTIAL. THESE PROGRAMS ARE DESIGNED TO INCREASE SUDAN'S FOOD PRODUCTION TO THE EXTENT THAT SUDAN WILL ENTER THE SELECT RANKS OF FOOD EXPORTING NATIONS. IN ADDITION TO EXPANDING THE AGRICULTURAL PROGRAM, SUDAN HAS DEVOTED SIGNIFICANT RESOURCES TO HOUSING, HEALTH CARE AND EDUCATION. THESE PROGRAMS ARE DIRECTED NOT ONLY TO BENEFIT THE URBAN POOR WHO ARE READILY ACCESSIBLE, BUT ALSO THE MORE INACCESSIBLE RURAL POOR. LARGE SCALE DEVELOPMENT PROJECTS WILL BENE-
CONFIDENTIAL

PAGE 04 STATE 147897

FIT THE POOR BOTH BY PROVIDING EMPLOYMENT AND BY IN-
CREASING THE NATIONWIDE STANDARD OF LIVING.

SUDAN HAS A RESPECTABLE RECORD IN PROVIDING ASSISTANCE TO SOME 150,000 REFUGEES, MOSTLY ETHIOPIANS, WHO HAVE FLED TO SUDAN OVER THE LAST DECADE. THE SUDANESE HAVE GIVEN THEIR UNSTINTING COOPERATION TO INTERNATIONAL ORGANIZATIONS WHICH ARE PROVIDING ASSISTANCE TO THESE REFUGEES, AND HAVE CONTRIBUTED CONSIDERABLE MANPOWER AND SOME FUNDS IN DEALING WITH THIS PROBLEM.

WHILE THERE IS SOME CORRUPTION BOTH WITHIN THE PUBLIC AND PRIVATE SECTOR IN SUDAN, IT IS NOT OF SUFFICIENT MAGNITUDE TO UNDERMINE THE NATION'S DEVELOPMENT. THE NIMEIRI GOVERNMENT AND THE SSU ARE DEDICATED TO NATIONAL DEVELOPMENT, AND GROSS AND FLAGRANT MISAPPROPRIATION OF FUNDS WOULD BE SEVERELY PUNISHED.

4. THE NIMEIRI GOVERNMENT CAME TO POWER IN A COUP IN MAY, 1969. SINCE THAT TIME THERE HAVE BEEN FIVE ATTEMPTS TO OVERTHROW NIMEIRI, MOST OF WHICH RECEIVED EXTENSIVE ASSISTANCE FROM OUTSIDE OF SUDAN. THESE COUPS WERE ORGANIZED EITHER BY THE CONSERVATIVE ANSAR MUSLIM SECT SUPPORTED BY THE LIBYANS, OR BY THE SUDANESE COMMUNIST PARTY SUPPORTED BY THE SOVIET UNION. THESE ATTEMPTS HAVE TEMPERED NIMEIRI'S ATTITUDES CONCERNING HUMAN RIGHTS. HE IS RESPONSIBLE FOR PRESERVING HIS "REVOLUTION", AND IS LIKEWISE RESPONSIBLE FOR WHATEVER VIOLATIONS OF HUMAN RIGHTS WHICH OCCUR IN THE WAKE OF THESE COUP ATTEMPTS. IT MUST BE REALIZED THAT THESE ATTEMPTED COUPS HAVE OFTEN BEEN BLOODY IN THE EXTREME, AND NIMEIRI'S SEVERE RETRIBUTION IS IN LINE WITH THE PROVOCATION. TO THE EXTENT THAT A CHIEF OF STATE HAS
CONFIDENTIAL

PAGE 05 STATE 147897

THE RIGHT TO PROTECT HIS GOVERNMENT AND DEFEND HIS POSITION, NIMEIRI'S SUSPENSION OF CIVIL LIBERTIES CAN BE JUSTIFIED. THE NUMBER OF POLITICAL OPPONENTS CURRENTLY REMAINING IN DETENTION PROBABLY DOES NOT EXCEED 1000

OF WHICH SEVERAL HUNDRED WERE RECENTLY RELEASED. IT

IS LIKELY THAT THE BULK OF THE REMAINING DETAINEES
COULD BE RELEASED WITHOUT ADDING TO THE SECURITY
THREAT TO THE PRESENT GOVERNMENT.

5. THE SUDANESE GOVERNMENT IS SENSITIVE TO THE HUMAN
RIGHTS ISSUE AND IS UNLIKELY TO WELCOME ANY INDEPENDENT,
OUTSIDE INVESTIGATION OF ALLEGED HUMAN RIGHTS VIOLA-
TIONS. THERE HAS NOT BEEN ANY EFFORT TO CONDUCT SUCH
AN INVESTIGATION IN RECENT YEARS.

B. ANALYSIS AND RECOMMENDATIONS

U.S. OBJECTIVES

OUR HUMAN RIGHTS OBJECTIVES OVER THE NEXT YEAR SHOULD
BE TO ENCOURAGE THE SUDANESE GOVERNMENT IN ITS EFFORTS
AT RECONCILIATION WITH DISSIDENT ELEMENTS. WE SHOULD
APPLAUD ITS MOVES TO RELEASE POLITICAL DETAINEES AND
ITS COMMITMENT TO ALLEVIATING THE SUFFERING OF ETHIO-
PIAN AND UGANDAN REFUGEES.

U.S. INFLUENCE

IN A RECENT POLICY DECISION, THE USG AGREED TO ENHANCE
AND STRENGTHEN OUR RELATIONS IN SUDAN IN AN EFFORT TO
OFFSET OUR RECENT LOSS OF POSITION IN ETHIOPIA. IN
ORDER TO IMPLEMENT THIS DECISION, THE USG IS RE-ES-
TABLISHING AN ECONOMIC ASSISTANCE PROGRAM DIRECTED
TOWARD DEVELOPING SUDAN'S AGRICULTURAL POTENTIAL WITH
PARTICULAR EMPHASIS ON THE RURAL POOR. SIMULTANEOUSLY
CONFIDENTIAL

PAGE 06 STATE 147897

WE HAVE AGREED TO SELL SUDAN SIX C-130 AIRCRAFT AND
ARE PREPARED TO CONSIDER FURTHER SUDANESE REQUESTS
TO PURCHASE U.S. MILITARY EQUIPMENT. AS OUR RELATION-
SHIP WITH SUDAN DEVELOPS, WE CAN ANTICIPATE THAT OUR
LEVERAGE WILL EQUALLY IMPROVE.

OPTIONS

A. ENCOURAGE SUDAN IN ITS EFFORTS TO RECONCILE ITS
DIFFERENCES WITH THE DISSIDENT ANSAR ELEMENTS BOTH
WITHIN SUDAN AND IN OTHER COUNTRIES.

B. ENCOURAGE SUDAN TO REVIEW THE CASES OF POLITICAL
DETAINEES WITH THE AIM OF REDUCING THE NUMBER OF SUCH
PRISONERS IN SUDANESE JAILS.

C. INFORM THE SUDANESE GOVERNMENT THAT ANY REGRESSION
IN THEIR HUMAN RIGHTS POSITION WILL IMPAIR BOTH ARMS

TRANSFER TRANSACTIONS AND DEVELOPMENTAL ASSISTANCE.

EFFECTIVENESS

INVOKING ANY OF THE OPTIONS ABOVE WILL INSPIRE A COOL AND SUSPICIOUS REACTION FROM THE SUDANESE GOVERNMENT. THEY HAVE RECENTLY EXPELLED THE BULK OF THE SOVIET PRESENCE IN THEIR COUNTRY IN PART AS A REACTION TO PERCEIVED SOVIET INTERFERENCE IN THEIR INTERNAL AFFAIRS. SUCH A HUMAN RIGHTS STANCE BY THE US WILL ENGENDER SIMILAR SENSITIVITY. SUCH A STANCE, HOWEVER, SHOULD BE MORE READILY ACCEPTABLE TO THE OPPOSITION LEADERSHIP, INTELLECTUALS AND OTHER ELEMENTS OF THE SOCIETY.

CONFIDENTIAL

PAGE 07 STATE 147897

AN ADVERSE SUDANESE GOVERNMENTAL REACTION COMPLICATES OUR DEVELOPMENT OF AN AID PROGRAM AND OUR ARMS SALES TO KHARTOUM. WE CANNOT EXPECT ANY SIGNIFICANT INTERNATIONAL SUPPORT FOR A STRONG HUMAN RIGHTS STANCE IN SUDAN AS THOSE OF OUR EUROPEAN ALLIES WHO ARE INVOLVED COMMERCIALY IN SUDAN ARE NOT PREPARED TO RISK THEIR INVESTMENT AND PROSPECTIVE PROFITS. A MODERATE HUMAN RIGHTS STANCE OF THE TYPE PROPOSED IN THE OPTIONS WOULD SIGNAL A LEGITIMATE HUMAN RIGHTS CONCERN WITHOUT UNDULY DISRUPTING AN OTHERWISE IMPROVING RELATIONSHIP.

AS MOST OF THE POLITICAL DETAINEES ARE ACCUSED OF BEING INVOLVED IN DIRECT EFFORTS TO OVERTHROW THE GOVERNMENT, IT IS UNLIKELY THAT WHATEVER MEASURES THE U.S. MIGHT TAKE WILL OSFTEN SUDAN'S POSITION TOWARD THEM. FOR THOSE FEW DETAINEES WHOSE ALLEGED CRIMES ARE OF A MORE INNOCUOUS NATURE, U.S. MEASURES MIGHT RESULT IN THEIR EARLY RELEASE. CHRISTOPHER

CONFIDENTIAL

<< END OF DOCUMENT >>

Message Attributes

Automatic Decaptioning: Z
Capture Date: 22-Sep-1999 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLICIES, HUMAN RIGHTS
Control Number: n/a
Copy: SINGLE
Sent Date: 24-Jun-1977 12:00:00 am
Decaption Date: 22 May 2009
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE147897
Document Source: ADS
Document Unique ID: 00
Drafter: AF/E:KWAUCHOPE:CJ
Enclosure: n/a
Executive Order: 11652 XGDS-3
Errors: n/a
Expiration:
Film Number: D770227-0304
Format: TEL
From: STATE
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t197706110/baaaetcs.tel
Line Count: 257
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, TEXT ON MICROFILM
Message ID: 831f9e73-c288-dd11-92da-001cc4696bcc
Office: ORIGIN AF
Original Classification: CONFIDENTIAL
Original Handling Restrictions: ONLY
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: ONLY
Reference: STATE 139160
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 09-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2013253
Secure: OPEN
Status: NATIVE
Subject: COUNTRY ACTION PLAN FOR SUDAN
TAGS: SHUM, SU, US
To: KHARTOUM
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/831f9e73-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009